

**IN THE UNITED STATES BANKRUPTCY COURT
FOR THE MIDDLE DISTRICT OF PENNSYLVANIA**
Wilkes-Barre Division

IN RE:
Bernard Doctor

Case No. 5:24-bk-02043-MJC
Chapter 13

Deutsche Bank National Trust Company, as Trustee
for Ameriquest Mortgage Securities Inc.,
Asset-Backed Pass-Through Certificates, Series
2006-R1,
Movant

vs.

Bernard Doctor ,
Debtor

**OBJECTION TO CONFIRMATION
OF DEBTOR'S CHAPTER 13 PLAN**

Deutsche Bank National Trust Company, as Trustee for Ameriquest Mortgage Securities Inc., Asset-Backed Pass-Through Certificates, Series 2006-R1 ("Movant"), by and through its undersigned counsel, files this *Objection to Confirmation of Debtor's Chapter 13 Plan* (Doc 18), and states as follows:

1. The Debtor filed a voluntary petition pursuant to Chapter 13 of the Bankruptcy Code on August 19, 2024.
2. Movant holds a security interest in the Debtor's real property located at 235 Stafford Dr, Bushkill, PA 18324 (the "Property"), by virtue of a Mortgage.
3. The Debtor filed a Chapter 13 Plan (the "Plan") on September 27, 2024 (Doc 18).
4. The Plan includes payments toward the Note and Mortgage with Movant, however the figures used by the Debtor are inaccurate. Although Movant has not yet filed its proof of claim, it is anticipated that the claim will show the pre-petition arrearage due Movant is

\$88,173.69, whereas the Plan proposes to pay only \$0.00.

5. Movant objects to any plan which proposes to pay it anything less than \$88,173.69 as the pre-petition arrearage over the life of the plan.

6. Movant objects to Debtor's proposed Chapter 13 Plan that Movant will not receive any distribution from the Chapter 13 Trustee on its proof of claim.

7. Based on the Schedules filed by the Debtor, the Plan does not appear to be feasible in that there is insufficient disposable income to support the proposed plan payments. Thus, the plan violates the provisions of 11 U.S.C. § 1325(a)(6) and cannot be confirmed.

8. Movant objects to any plan which proposes to pay it anything less than \$88,173.69 as the pre-petition arrearage over the life of the plan.

WHEREFORE, Movant respectfully requests the entry of an Order which denies confirmation of the Plan unless such plan is amended to overcome the objections of Movant as stated herein, and for such other and further relief as the Court may deem just and proper.

/s/Mario Hanyon

Andrew Spivack, PA Bar No. 84439

Matthew Fissel, PA Bar No. 314567

Mario Hanyon, PA Bar No. 203993

Ryan Starks, PA Bar No. 330002

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CERTIFICATE OF SERVICE

I, the undersigned, hereby certify that a true and exact copy of the foregoing
OBJECTION TO CONFIRMATION OF DEBTOR'S CHAPTER 13 PLAN has been
electronically served or mailed, postage prepaid on this day to the following:

Via Electronic Notice:

Brad J. Sadek, Debtor's Attorney
1500 JFK Boulevard
Ste 220
Philadelphia, PA 19102
bradsadek@gmail.com

Jack N Zaharopoulos, Bankruptcy Trustee
8125 Adams Drive, Suite A
Hummelstown, PA 17036

United States Trustee, US Trustee
US Courthouse
1501 N. 6th St
Harrisburg, PA 17102

Via First Class Mail:

Bernard Doctor
235 Stafford Drive
Bushkill, PA 18324

Date: October 10, 2024

/s/Mario Hanyon

Andrew Spivack, PA Bar No. 84439

Matthew Fissel, PA Bar No. 314567

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Jay Jones, PA Bar No. 86657

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